



CASE SE/2-22761/PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF
PATRICE BUJARD
INTERNATIONAL APPLICATION NO. PCT/EP 03/50690
FILED: OCTOBER 6, 2003
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U.S. APPLICATION NO: 10/530,098
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Group Art Unit: 1615
Examiner: BETHANY P. BARHAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Terminal Disclaimer over U.S. Pat. No. 7,291,216

(37 CFR 1.321(c))

Sir:

I, Tyler A. Stevenson, represent that I am Agent of record for this invention.

Ciba Specialty Chemicals Corporation, a corporation organized and existing under the laws of the State of Delaware, represents that it is the assignee of the entire interest in present app. No. **10/530,098** by virtue of an assignment recorded in the United States Patent and Trademark Office on October 11, 2005, reel/frame 017068/0867.

Ciba Specialty Chemicals Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on application No. **10/530,098** which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No **7,291,216** the patent forming the basis of the double patenting rejection. The owner hereby agrees that any patent so granted on application No. **10/530,098** shall be enforceable only for and during such period that it and U.S. Patent No. **7,291,216** are commonly owned, this agreement to

run with any patent granted on application No. **10/530,098** and to be binding upon the grantee, its successors and assigns.

Said U.S. Patent No. **7,291,216** is also entirely assigned to Ciba Specialty Chemicals Corporation by virtue of an assignment recorded on September 25, 2007, reel/frame 019884/0724 in the United States Patent and Trademark Office.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application No. **10/530,098** that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 on U.S. Patent **7,291,216** in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term.

Respectfully submitted,



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